

REMARKS

Claims 1-6 are pending. Claims 1, 4, 5 and 6 have been amended. Support for these amendments can be found in the specification of the original patent as issued. No new matter has been added by these amendments and no estoppels are intended thereby.

Applicant believes the original patent, U.S. Patent No. 5,443,722 (hereinafter “the patent”), to be partly inoperative by reason of a defective specification, specifically, claims 1, 4, 5 and 6 of the patent issued containing errors. These claims recite a first three-way ball valve for controlling the flow of fluid between said housing, first port and *second* port. The specification and drawings make clear that the recitation of the *second* port is in error and should read third port.

The specification of the patent as issued, discloses a first three-way ball valve for controlling fluid flow between the first port and third port. The *Abstract* recites a first three-way ball valve...for controlling fluid flow between the first port, third port and housing while the *Summary Of The Invention* recites a first three-way ball valve is disposed within the housing for controlling communication between the housing, first port and third port. Furthermore, the *Detailed Description Of the Preferred Embodiment* discloses a three-way ball valve 84 in fluid communication with entrance port 19 and entrance port 36. See, for example, column 4, lines 1-10 and FIGS. 1 and 2. Therefore, it is apparent that the recitation of the *second* port is a mistake and the claims should recite a first three-way ball valve for controlling the flow of fluid between said housing, first port and *third* port.

Applicant respectfully submits that the aforementioned errors which are being corrected by the Reissue application with which this Preliminary Amendment is being submitted arose without any deceptive intention on the part of the Applicant, and amendment and correction is hereby requested.

No fee is believed due in connection with the submission of this amendment. However, any extension of time necessary to prevent abandonment is hereby requested, and any fee necessary for consideration of this response is hereby authorized to be charged to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP

A handwritten signature in black ink, appearing to read "Stephen S. Fabry", written in a cursive style.

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